

FILED

DEC 14 2021

Clerk, U. S. District Court
Eastern District of Tennessee
At Greeneville

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
GREENEVILLE DIVISION

UNITED STATES OF AMERICA)
v.)
SPENCER DALE HOLT)

)
No. 2:21-CR-137
JUDGE CORKER/WYRICK
SEALED

INDICTMENT

COUNT ONE

The Grand Jury charges that from on or about November 23, 2021, and for at least the preceding year, in the Eastern District of Tennessee, SPENCER DALE HOLT, did knowingly distribute any child pornography as defined in Title 18, United States Code § 2256(8), that had been mailed, or shipped, or transported in interstate or foreign commerce by any means, including by computer.

[18 U.S.C. § 2252A(a)(2)(A) and (b)(1)]

COUNT TWO

The Grand Jury further charges that on or about November 23, 2021, and for at least the preceding year, in the Eastern District of Tennessee, SPENCER DALE HOLT, did knowingly possess or access with the intent to view any matter that contained an image of child pornography as defined in Title 18, United States Code § 2256(8), that had been mailed, or shipped, or transported in interstate or foreign commerce by any means, including by an computer, or were produced using materials which had been mailed or shipped or transported using any means or facility of interstate or foreign commerce by any means, including by computer.

[18 U.S.C. § 2252A(a)(5)(B) and (b)(2)]

FORFEITURE ALLEGATIONS

The allegations contained in Counts One and Two of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 2253. Pursuant to Title 18, United States Code, Section 2253, upon conviction of an offense in violation of Title 18, United States Code, Section 2252A, the defendant, SPENCER DALE HOLT shall forfeit to the United States of America his interest in the following:

- a. Any visual depiction described in Title 18, United States Code, Sections 2251, 2251A, 2252, 2252A, or 2260, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of Title 18, United States Code, Chapter 110;
- b. Any property, real or personal, constituting, or traceable to gross profits or other proceeds obtained from the offenses; and
- c. Any property, real or personal, used or intended to be used to commit or to promote the commission of the offenses.

The property to be forfeited includes, but is not limited to the following property:

- iPhone XR White, Serial Number FFWZF0VSKXKY

If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

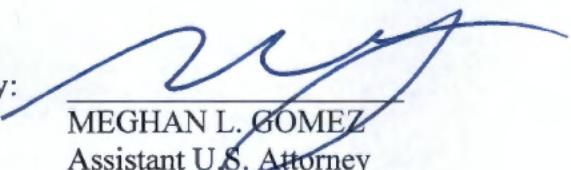
the United States of America shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b).

A TRUE BILL:

[REDACTED]

FOREPERSON

FRANCIS M. HAMILTON III
ACTING UNITED STATES ATTORNEY

By: 

MEGHAN L. GOMEZ
Assistant U.S. Attorney